

# Clifford Says Nixon Moves Prolong War

NYTimes

MAY 19 1972

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, May 18 — Former Defense Secretary Clark M. Clifford charged today that President Nixon's military actions against North Vietnam were prolonging the war and raising the risk of a major confrontation with the Soviet Union.

Testifying before the House Foreign Affairs Committee, Mr. Clifford also challenged Mr. Nixon's constitutional authority to order the mining of North Vietnamese waters without the approval of Congress.

Also he predicted the mining would be militarily ineffective. He argued that ships could unload their cargoes at Chinese ports for overland shipment to North Vietnam. But more important, he said, the mining constitutes an act of war, greatly increasing the danger of a showdown with the Soviet Union.

## Says 'Congress Must Act'

He declared:

"The power thus to make war on foreign countries is not entrusted by the Constitution to the unilateral decision of any one man. For the President of the United States to arrogate this power to himself is a defiance of constitutional principles and provides a clear warning that Congress must act immediately to reassert its jurisdiction."

Mr. Clifford, who served as Defense Secretary in the final year of the Johnson Administration, appeared before the committee to support a resolution drafted by Democrats on the committee that would terminate all American hostilities in Indochina by Oct. 1, subject to the release of American prisoners of war.

Mr. Clifford's appearance marked the first time that the committee has heard other

than administration witnesses on the Vietnam War. Representative John C. Culver, Democrat of Iowa, observed at one point that the panel had been "a gratification chamber to echo any views expressed by the executive branch."

As another innovation, the committee for the first time admitted television cameras, and the banks of lights promptly blew a fuse, forcing a five-minute suspension.

Directly behind Mr. Clifford as he testified, about a dozen members of Concerned Clergy and Laymen knelt in prayer, a few lay prostrate on the floor. Representative Thomas E. Morgan, the committee chairman, overruled suggestions that they be required to sit in their chairs.

Mr. Morgan, who in the past has supported the Administration on Vietnam, said he found "the mood of the House chang-

ing on the war" as he announced his continued support for the withdrawal resolution.

The closely divided committee is expected to act on the resolution next week, with the big fight focusing on whether to make an internationally supervised cease-fire, such as proposed by the President, a condition for withdrawal.

Mr. Clifford said the cease-fire condition would make the resolution "meaningless" because North Vietnam would never accept a cease-fire that would have the effect of "preserving the present government in Saigon."

The Senate, meanwhile, marked time on the war issue until Mr. Nixon returns from his Moscow trip late this month. It will then vote on an end-the-war amendment offered by Senator Mike Mansfield, the majority leader.